



42848

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5  
230 SOUTH DEARBORN ST.  
CHICAGO, ILLINOIS 60604

NOV 05 1991

REPLY TO ATTENTION OF:

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Cherry Valley Bank  
252 South Mulford Road  
Rockford, Illinois 61108

Re: Request for Information Pursuant to Section 104(e) of CERCLA and Section 3007 of RCRA for the Southeast Rockford Groundwater Site in Rockford, Illinois, hereinafter referred to as "the Site."

Dear Sir or Madam:

The United States Environmental Protection Agency (U.S. EPA) is currently investigating the source, extent and nature of the release or threatened release of hazardous substances, pollutants or contaminants at or near the Southeast Rockford Groundwater Site in Rockford, Illinois. This investigation requires inquiry into the generation, storage, treatment and disposal of such substances that have been or threaten to be released at or near the Site.

Pursuant to the authority of Section 104(e) of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), 42 U.S.C. §9604(e), amended by Superfund Amendments and Reauthorization Act of 1986, Pub. L. 99-499, and pursuant to Section 3007 of the Resource Conservation and Recovery Act (RCRA), 42 U.S.C. §6927, you are hereby requested to respond to the Information Requests enclosed. This Information Requests is not a notice of liability for the Site.

Compliance with the enclosed Information Requests is mandatory. Failure to respond fully and truthfully to each and every Information Request within twenty (20) days of receipt of this letter, or to adequately justify such failure to respond, can result in enforcement action by USEPA. Pursuant to Section 3008 of RCRA, USEPA may seek the imposition of penalties up to twenty-five thousand dollars (\$25,000) for each day of continued non-compliance; and Section 104(e)(5) of CERCLA, as amended, authorizes the United States to seek penalties from a Federal Court of up to twenty-five thousand dollars (\$25,000) for each day of continued non-compliance. "Non-compliance" is considered by USEPA to be not only failure to respond to the Requests but also failure to respond completely and truthfully to each Request. Please be further advised that provision of false, fictitious, or fraudulent

statements or representations may subject you to criminal penalties of up to ten thousand dollars (\$10,000) or up to five (5) years of imprisonment or both under 18 U.S.C. Section 1001.

USEPA has the authority to use the information requested herein in an administrative, civil or criminal action. This Information Request is not subject to the approval requirements of the Paperwork Reduction Act of 1980, 44 U.S.C. 3501 et seq.

Your response to this Information Request should be mailed to:

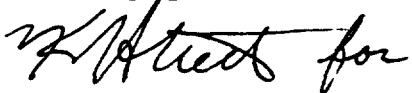
Karen Vendl  
U.S. Environmental Protection Agency (5HS-11)  
230 South Dearborn Street  
Chicago, Illinois 60604

If you have any legal questions, please direct such questions to Ms. Elizabeth Doyle, Assistant Regional Counsel, at (312) 886-7951. If you have any other questions, please direct such questions to Ms. Vendl at (312) 886-4739.

Due to the seriousness of the problem at the Site and the legal ramifications of your failure to respond promptly and properly, USEPA strongly encourages you to give this matter your immediate attention and to respond to these Information Requests within the time specified above.

Thank you for your cooperation in this matter.

Sincerely yours,

A handwritten signature in dark ink, appearing to read "Jonas Dikinis for".

Jonas Dikinis, Chief  
Illinois/Indiana Remedial Response Branch

Enclosure

1. Identify the person(s) answering these questions on behalf of Respondent.
2. For each and every Question contained herein, identify all persons and documents consulted in the preparation of the answer, and provide true and accurate copies of all such documents.
3. Provide all reports, information or data related to soil, water (ground and surface), air quality, geology, or hydrogeology at and about the Facility, including, but not limited to, a report prepared by Beiling Consultants. Provide copies of all documents containing such data and information, including documents containing analysis or interpretation of such data.
4. Are you or your consultants currently performing or planning to perform any investigations of the soil, water (ground and surface) air quality, geology or hydrogeology on or about the Facility. If so, identify:
  - a. What the nature and scope of these investigations are or will be;
  - b. The contractors or other persons that are undertaking or will undertake these investigations;
  - c. The purpose of the investigations;
  - d. The dates on which such investigations are taking or will take place and be completed; and
  - e. Where on the Facility such investigations are taking or will take place.